

Notice of Allowability

Application No.

09/869,759

Examiner

Jennifer A Boyd

Applicant(s)

HEIRBAUT ET AL.

Art Unit

1771

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/5/03.
2. ☒ The allowed claim(s) is/are 1-2 and 4 - 59.
3. ☒ The drawings filed on 05 July 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Response to Amendment

1. The Examiner has carefully considered Applicant's present response filed December 5, 2003. Claims 1, 18, 20 and 22 are amended, claims 36 – 59 are added and claims 1 – 2 and 4 – 59 are pending. All rejections have been overcome.

Reasons for Allowance

2. Claims 1 – 2 and 4 – 59 are allowed.

3. The following is an examiner's statement of reasons for allowance: the 35 U.S.C. 103(a) rejections of claims 1 – 7 and 12 – 28 and 30 – 34 as being unpatentable over Tominaga (EP 477,785 A2), claims 1, 3 – 11, 22 and 29 as being unpatentable over Lesage et al. (US 5,388,432) and claims 22 and 35 as being unpatentable over Anaf et al. (US 5,631,067) have been overcome by the present response. While Tominaga (EP 477,785 A2), Lesage et al. (US 5,388,432), Anaf et al. (US 5,631,067) and Van De Velde et al. (US 6,045,926) are believed to be the most pertinent art, the references fail to teach that the fabric has both 90 or more stitches per square centimeter and having an air permeability higher than $2400 \text{ l/10 cm}^2\text{h}$. The Applicant indicates that the use of a fabric having 90 or more stitches per square centimeter and having an air permeability higher than $2400 \text{ l/10 cm}^2\text{h}$ for molding glass has unexpected results. The skilled artisan would view increasing the number of stitches as most likely decreasing the permeability of the fabric which would be an undesirable result because it would prevent a sufficient suction pressure from being obtained when molding/handling glass. Additionally, the skilled artisan would view increasing the number of stitches as increasing the weight of the

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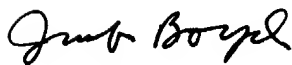
fabric would also be an undesirable result since heavy fabrics sag and bunch up leaving a line on the glass from the ply and reducing the optical performance of the glass (Remarks, December 5, 2003).


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer A Boyd whose telephone number is 571-272-1473. The examiner can normally be reached on Monday thru Friday (8:30am - 6:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jennifer Boyd
February 19, 2004


Ula C. Ruddock
Primary Examiner
Tech Center 1700